

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHN HEYKOOP doing business as
EAGLE TOWING,

Plaintiff,

v

MICHIGAN STATE POLICE, DAVID
ROESLER, JEFFREY WHITE, and
CHRIS McINTIRE,

Defendants.

Christopher S. Patterson (P74350)
John S. Brennan (P55431)
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Attorneys for Plaintiff
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DEFENDANTS' MOTION TO DISMISS

Defendants Michigan State Police, David Roesler, Jeffrey White, and Chris
McIntire, through the undersigned attorney, bring this motion under Fed. R. Civ. P.
12(b)(6), based on the grounds set forth in Defendants' accompanying brief.

In compliance with Local Civil Rule 7.1(d) of the U.S. District Court for the
Western District of Michigan, concurrence in the relief requested was sought from
counsel for Plaintiff on July 11, 2018. Counsel for Plaintiff indicated he is opposed
to the relief requested.

Defendants respectfully request that this Court grant their motion, and that Plaintiff's Complaint be dismissed.

Respectfully submitted,

Bill Schuette
Attorney General

s/Patrick S. Myers
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Dated: July 11, 2018

CERTIFICATE OF SERVICE

I hereby certify that on July 11, 2018, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing of the foregoing document as well as via US Mail to all non-ECF participants.

s/Patrick S. Myers
Patrick S. Myers
Assistant Attorney General
Attorney for Defendants